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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CLAIRE BLANCHARD,)	Case No.: 3:14-cv-03143-VC
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	APPROVING SETTLEMENT OF
vs.)	ATTORNEY FEES PURSUANT TO THE
CAROLYN W. COLVIN,)	EQUAL ACCESS TO JUSTICE ACT, 28
Acting Commissioner of Social Security,)	U.S.C. § 2412(d), AND COSTS PURSUANT
)	TO 28 U.S.C. § 1920
)	
Defendant.)	

IT IS HEREBY STIPULATED by and between the parties, through their undersigned counsel, subject to the Court's approval, that Plaintiff be awarded attorney fees and expenses in the amount of FOUR THOUSAND FOUR HUNDRED DOLLARS AND ZERO CENTS (\$4,400.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and costs in the amount of ZERO DOLLARS (\$0.00) under 28 U.S.C. § 1920. This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920, 2412(d).

After the Court issues an order for EAJA fees to Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 598 (2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States Department of the Treasury's

1 Offset Program. After the order for EAJA fees is entered, the government will determine
2 whether they are subject to any offset.

3 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines
4 that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees,
5 expenses and costs to be made directly to the Homeless Action Center, pursuant to the
6 assignment executed by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.

7 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
8 attorney fees and expenses and does not constitute an admission of liability on the part of
9 Defendant under the EAJA or otherwise. Payment of the agreed amount shall constitute a
10 complete release from, and bar to, any and all claims that Plaintiff and/or Plaintiff's counsel,
11 including the Homeless Action Center, may have relating to EAJA attorney fees and expenses in
12 connection with this action.

13 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security
14 Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the
15 EAJA.

16 Respectfully submitted,

17 Dated: August 5, 2015

18 /s/ Lynn M. Harada for Mary A. Gilg*
19 (*as authorized via email on 8/4/15)
20 MARY A. GILG
Attorney for Plaintiff

21 Dated: August 5, 2015

22 MELINDA L. HAAG
United States Attorney
23 DEBORAH LEE STACHEL
Acting Regional Chief Counsel, Region IX
24 Social Security Administration

25 By: /s/ Lynn M. Harada
26 LYNN M. HARADA
Special Assistant U.S. Attorney

27 Attorneys for Defendant
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that Plaintiff shall be awarded attorney fees in the amount of FOUR THOUSAND FOUR HUNDRED DOLLARS AND ZERO CENTS (\$4,400.00), as authorized by 28 U.S.C. § 2412(d), and costs in the amount of ZERO DOLLARS (\$0.00), pursuant to 28 U.S.C. § 1920, subject to the terms of the above-referenced Stipulation.

Dated: August 10, 2015



THE HONORABLE VINCE CHHABRIA
United States District Judge

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